



## VILLAGE OF BISCAYNE PARK

640 NE 114TH STREET

BISCAYNE PARK, FL 33161

TEL: 305 899 8000 FAX: 305 891 7241

[www.biscayneparkfl.gov](http://www.biscayneparkfl.gov)

### MINUTES

**1st Public Hearing FY 2013-14 Budget  
Ed Burke Recreation Center - 11400 NE 9th Court  
Biscayne Park, FL 33161  
Wednesday, September 11, 2013  
Meeting at 6:30PM**

#### Mayor and Commission

Noah Jacobs  
Mayor

Robert "Bob" Anderson  
Vice Mayor

Bryan Cooper  
Commissioner

Roxanna Ross  
Commissioner

Commissioner Watts  
Commissioner

Maria C. Camara  
Interim Village Manager

John J. Hearn  
Village Attorney

**1 Call to Order**

Mayor Noah Jacobs called the meeting to order at 6:47pm

**2 Roll Call**

Mayor Noah Jacobs - present

Vice Mayor Bob Anderson - present

Commissioner Bryan Cooper - absent (*Arrived at 7:56PM*)

Commissioner Roxanna Ross - present

Commissioner Barbara Watts - present

Present from staff were:

Interim Village Manager Maria C. Camara

Village Attorney John Hearn

Chief Ray Atesiano

Asst to the Manager / Public Services Director Candido Sosa-Cruz

Finance Director Irwin Williams

Assistant Public Works Director Cesar Hernandez

**3 Pledge of Allegiance**

**4 Presentations**

- 4.a Pablo Llerenas, GLSC & Company, PLLC - provided a summary of the audit report for fiscal year ending 09/30/2012.

**5 Additions, Deletions or Withdrawals to Agenda**

Commissioner Watts pulls item 10.b and moves it to the next meeting.

**6 Public Comments Related to Agenda Items / Good & Welfare**

**7 Ordinances - FIRST READING**

- 7.a Ordinance 2013-11

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **ESTABLISHING THE 2012-2013 MILLAGE RATE AT 9.50 MILS** FOR EACH \$1,000 OF ASSESSED VALUATION UPON REAL AND PERSONAL PROPERTY WITHIN THE VILLAGE LIMITS OF THE VILLAGE OF BISCAYNE PARK; PROVIDING FOR AN EFFECTIVE DATE

Attorney Hearn read the title.

Mayor Jacobs opened the meeting for public comment.

Chuck Ross: Urge you to raise the trim to 9.90. Right now, there is no contingency. Remember the issue with the value adjustment board. We will probably be in the negative. Maintain what you voted for at 9.90 mills.

Barbara Kuhl: Keep the millage at 9.90. You have not had anybody come to these meetings telling you to lower taxes. We have no contingency fund. Raise it now and put the money in contingency. Dade County voters told their Mayor to raise their taxes and not cut services. People are willing to spend the money to improve the Village.

Dan Samaria: I'm for raising taxes if you specifically state that it goes to reserve, and not just put it in the general fund to be spent.

Janey Anderson: It's an election year. Hard to face constituents with 9.90. For those running, think further out and not just stay stagnant. Residents are complaining about the streets. Residents talk about the lack of reserves. With the courage comes conviction. You will be able to improve the infrastructure and the property values. Cannot keep going the way we are going. I want to remain as an independent entity.

Commissioner Watts: Confirms that if were to increase the millage, can we add extra money to specific line items.

Vice Mayor Anderson makes a motion to pass the ordinance and amend it to 9.90. It is seconded by Commissioner Ross.

Interim Manager Camara: At 9.90, the contingency would be \$75,545.

Commissioner Watts: Concerned about the value adjustment board issue.

Commissioner Ross: It was reported in the Herald that Hialeah was budgeting accordingly because of the value adjustment board issue. And that the Miami Dade County School Board would be faced with a deficiency. The value adjustment board is currently two years behind. Another impact on the revenues is the proposed tax cut that the State is looking at such as communications tax and sales tax. What we project our revenues at might not be there at the end.

Vice Mayor Anderson: The smartest and most prudent thing to do is save money. And to do that is you earn as much as you can and don't spend it. By having an extra income coming in at 9.90 and putting in contingency, with no plans to use it expect for emergency. And if you don't have an emergency, you roll it back into the reserves to build it back up. For my proposed tax bill, at 9.90, I would pay approximately \$70 more. I would gladly pay that, even though I am in a fixed income.

Mayor Jacobs: Confirms that we can dedicate it now specifically for reserves?

Commissioner Ross: Technically, what is the difference doing that today. But if we are shy of revenue, we will have to make an amendment to move it.

Vice Mayor Anderson: Easier to sell it if it is put in a line item that it is for reserves.

Mayor Jacobs: It is a matter of one vote or two votes. If we put it in a line item for unrestricted reserves, we would have to vote to do that first. And then the second would be to spend it.

Finance Director Williams: There are different types of fund balances. Some are spendable, and others not. Some are unassigned. It is just a matter of designating it and putting it to the side until you are ready to move it.

Commissioner Watts: 9.90 is high. Thinking of those who bought in the last decade. They are paying a lot more. Impacting them so much more, and other taxes are also going up.

Commissioner Ross: This Commission has a broad range of values based on the properties they own. If you take the difference between 9.50 and 9.90, an increase of \$26 on the low end to \$63 on the high end for the year. Based on that, and for the security of the Village, it is more important. To bolster our revenues and to be ready for emergencies, set it at 9.90.

Vice Mayor Anderson: Putting \$75,000 is a good start. Doing a dis-service if we don't start building reserves.

Commissioner Ross: Residents comments yesterday about needed road repair which we have neglected. Others said about professional services for animal control. There is a cabin that needs repair and IT infrastructure needs. Need to get out of using outside storage, lighting needs and audio needs. If we don't address, they will only pile up. Does not include those improvements residents asked for through the recreation survey. To stay at 9.50, you are going backwards. Much harder to progress. 9.90 is well worth it.

Mayor Jacobs: It is always a tug of war in government trying to keep tax burden on the constituents as low as possible, why trying to provide services. We all want to increase reserves. The struggle that we experience on unknown expenses are things we have to deal with. I don't see a firm commitment from the rest of the Commission to putting money in reserves. I only hear of increasing services we cannot afford.

Motion is called to a vote:

All in favor: Vice Mayor Anderson and Commissioner Ross.

Opposed: Mayor Jacobs and Commissioner Ross:

Motion fails: 2/2

Commissioner Ross makes a motion to pass the ordinance and amend it to 9.85. It is seconded by Vice Mayor Anderson.

All in favor: Vice Mayor Anderson and Commissioner Ross.

Opposed: Mayor Jacobs and Commissioner Ross:

Motion fails: 2/2

Commissioner Ross makes a motion to pass the ordinance and amend it to 9.82. It is seconded by Vice Mayor Anderson.

All in favor: Vice Mayor Anderson and Commissioner Ross.

Opposed: Mayor Jacobs and Commissioner Ross:

Motion fails: 2/2

Commissioner Ross makes a motion to pass the ordinance and amend it to 9.80. It is seconded by Vice Mayor Anderson.

Commissioner Ross amends the motion to 9.75 and it is accepted by Vice Mayor Anderson.

All in favor: Vice Mayor Anderson and Commissioner Ross.

Opposed: Mayor Jacobs and Commissioner Ross:

Motion fails: 2/2

Commissioner Watts makes a motion to pass the ordinance and amend it to 9.70. It is seconded by Commissioner Ross.

All in favor: Vice Mayor Anderson, Commissioner Ross and Commissioner Watts.

Opposed: Mayor Jacobs.

Motion carries: 3/1

Attorney Hearn: Confirms that the millage is changed to 9.70 and the increase is 5.4038%. The second reading will take place on Tuesday, September 24, 2013, at 6:30pm.

**7.b Ordinance 2013-12**

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **ADOPTING A BUDGET FOR FISCAL YEAR 2013-2014 FOR THE VILLAGE OF BISCAYNE PARK, FLORIDA**; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

Attorney Hearn read the title.

Mayor Jacobs opened the meeting to public comment.

Barbara Kuhl: Commissioner Watts, should be ashamed of yourselves. If you are so concerned about what the increase in taxes would do to our residents, the mural would be the first thing you would cut, and instead raise money for it. Try thinking about what you are spending when you come up with these ideas. Think of the responsibility you have to keep this community safe. By nickel and diming, thinking it is good for the community is a mistake. If you spend public money for this money, you should all be ashamed of yourselves.

Chuck Ross: Thanks Barbara, you just cost us 26 grand. If you don't raise the funds, our property values go down. You can't maintain the Village. What are you thinking? You don't deserve to be up there.

Janey Anderson: You don't allow things to fester. You don't do what you did last night. We have to build bridges with our surrounding cities. You have to do what is best for this community. To fix those things when needed and when reasonably priced. Our roads are a joke. The cabin is sad. We could be like Homestead and everyone had to be moved out of their city hall. It is time for courage.

---

#### COMMISSION

---

Vice Mayor Anderson makes a motion to move \$2,500 from the line item for the Mural to the contingency line item. It is seconded by Commissioner Ross.

Commissioner Ross: While I am excited about the mural project, based on the comments heard here, willing to agree to this.

Commissioner Watts: Should keep the full amount. This would raise property values.

Mayor Jacobs: Fears that this response is due to what just happened. \$2,500 in our budget is not a large sum. We need things to celebrate and that all can appreciate. This is a nominal amount. Last night ready to dish out \$37,000 for a utilitarian need for road repair. Cannot support moving this.

The motion is called to a vote:

All in favor: Vice Mayor Anderson and Commissioner Ross.

Opposed: Mayor Jacobs and Commissioner Watts

Motion fails: 2/2

---

#### PLANNING

---

Commissioner Ross makes a motion to add an explanation in the description of the line item for Planning to include annexation; and split Planning Services to \$15,000 for general services and \$5,000 for strategic planning session. It is seconded by Vice Mayor Anderson.

All in favor: Mayor Jacobs, Vice Mayor Anderson, Commissioner Ross and Commissioner Watts.

Opposed: None

Motion carries: 4/0

---

## GENERAL GOVERNMENT

---

Mayor Jacobs: On the line item for Lobbyist services, the main purpose is for the log cabin restoration. Has not crossed that finish line yet. Not the time we can afford it.

---

*Commissioner Cooper arrives at 7:56pm*

---

Mayor Jacobs makes a motion to strike the line item for lobbyist services. It is seconded by Commissioner Cooper.

Commissioner Ross: Opposed to doing that. They do help and not just for the log cabin. He is in the halls of Tallahassee. He brings back information to us and puts in a good word for us.

Commissioner Watts: Consider reducing in case there is a project to \$2,000.

Mayor Jacobs amends his motion to reduce the line item to \$2,000. Commissioner Cooper does not agree and withdraws his second. The amended motion is seconded by Vice Mayor Anderson.

The motion is called to a vote:

All in favor: Mayor Jacobs, Vice Mayor Anderson, and Commissioner Watts.

Opposed: Commissioner Cooper and Commissioner Ross

Motion carries: 3/2

---

## CITT

---

Commissioner Ross makes a motion to reflect \$40,000 in the line item description for road repair services. It is seconded by Vice Mayor Anderson.

All in favor: Mayor Jacobs, Vice Mayor Anderson, Commissioner Cooper, Commissioner Ross and Commissioner Watts.

Opposed: None

Motion carries: 5/0

Commissioner Ross makes a motion to approve Ordinance 2013-12 at first reading and it is seconded by Vice Mayor Anderson.

---

## PUBLIC WORKS

---

Commissioner Watts makes a motion to add \$2,000 to the budget for removal of strangler figs. It is seconded by Commissioner Cooper.

Commissioner Cooper: What is the \$22,000 in R&M Landscaping going to be used for.

Director Sosa-Cruz: Primarily for the completion of the tree trimming.

Commissioner Cooper: What are the plans for tree removal.

Director Sosa-Cruz: Zero

Commissioner Ross: Removal of the strangler figs/potato vines should address all trees and not just Australian Pines.

Commissioner Watts: Can amend it to say to take care of the trees most in need.

Vice Mayor Anderson: There is a study out that an insect, beetle, will eat the potato vines.

Commissioner Ross: Would rather see a voluntary effort. Just grabbing \$2,000 out of the air, I am reluctant.

Mayor Jacobs: Always amazed that this is the exact same argument for the last two years. We disregard what the professional administration has given us. When you say that when it is convenient, it is an unfortunate hypocrisy.

Commissioner Cooper: Saw significant hypocrisy in the control of the CITT funds.

Mayor Jacobs: Volunteer effort would be great, or bio-diversity idea is great. And not to spend the \$2,000 would be beautiful. Australian Pines have a special place in this Village and a significance.

The motion is called to a vote:

All in favor: Mayor Jacobs, Vice Mayor Anderson, Commissioner Cooper and Commissioner Watts.

Opposed: Commissioner Ross

Motion carries: 4/1

The motion on the passing of Ordinance 2013-12 is called to a vote:

All in favor: Vice Mayor Anderson, Commissioner Ross and Commissioner Watts

Opposed: Mayor Jacobs and Commissioner Cooper

Barbara Kuhl: Thanks the Chief of Police for response to loose dog issue. Thanks Crime Watch and thanks staff. Mr. Mayor, don't interpret why I say something. From the very beginning on the mural project I said that it should be funded by public money. It was not a reaction to Commissioner Watts voting against the increase. I have no problem with art in public spaces. I have a problem with the process and having no funding process. You gave the mural proposals to three art professionals, and put out the same proposals to the community to vote. As a result your professionals picked the one that had no vote from the public. And the one that had the most votes, had no favorable comment or was selected by the professionals. Have you thought of how the commission is going to vote on this? How are you going to rectify this? As far as spending money, you are pushing things through to get the votes. Your suggestions are costing money. You have never once talked to a member of the Parks & Parkway members. Your representative wasn't sure what you looked like. Instead of asking the people who are involved and doing your homework, you run with the resolution. Do your homework first.

Janey Anderson: We need more trees planted, I agree with Bryan. We need more money for our medians and tree maintenance. It would make our city more beautiful and everyone would enjoy it. Think about the \$2,500 you would spend to paint a wall.

Chuck Ross: Noah, comments regarding Commissioner Ross were completely wrong. You either don't understand or just don't understand the budget. You are micromanaging. At last night's meeting, Mayor was patient, but when Gary and Barbara Kuhl spoke, you interrupted them. You let non-residents get more latitude. Wasted time of resources on an item already voted on by that city. If Cooper wants to be an activist, don't involve the Village of Biscayne Park.

## **8 Resolutions**

### **Resolution 2013-41**

8.a A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA; **AUTHORIZING THE INTERIM VILLAGE MANAGER TO EXECUTE THE PROFESSIONAL SERVICES AGREEMENT BETWEEN CRAIG A. SMITH & ASSOCIATES, INC. AND THE VILLAGE OF BISCAYNE PARK FOR ROAD REPAIR; PROVIDING FOR AN EFFECTIVE DATE**

Vice Mayor Anderson makes a motion to pass resolution 2013-41 and it is seconded by Commissioner Ross.

Director Sosa-Cruz provided the background.

Commissioner Ross: Confirms that the Finance Director has approved and that the Attorney has reviewed the contract.

Motion is called to a vote:

All in favor: Mayor Jacobs, Vice Mayor Anderson, Commissioner Cooper, Commissioner Ross and Commissioner Watts.

Opposed: None

Motion carries: 5/0

## **9 New Business**

9.a Village Boards - Discussion on open seats and members with excessive absences.

Commissioner Cooper: Selects Steve Bernard to replace John Zoeller on the Parks & Parkway Advisory Board.

Mayor Jacobs: Does not yet have a replacement for the Parks & Parkway Advisory Board.

9.b Mural Project - Status of voting and art professional reviews.

Commissioner Ross: Would like to see a serious effort from the Commission on getting donations.



Commissioner Watts: Perhaps ask to lower the cost based on the artist selected.

Mayor Jacobs: Asks for consensus to put the item on the October 1st meeting agenda to decide.

Consensus to move to the October 1st meeting.

## **10 Old Business**

- 10.a Commissioner Watts: Discussion and possible workshop or proposal: Unification of the non quasi-judicial Advisory Boards (Ecology, Parks and Parkways, Recreation Center Advisory Board)

Commissioner Watts: Brought up in part due to difficult in filling positions in boards. And also lack of ability to getting things done. Thinking of the board when I visited El Portal and they seem to work together to take on different projects and pull their resources to get things done. They have been successful with many projects. There is difficulty in getting quorums on our boards. Why not have Ecology and Parks & Parkway meet together? May be able to function better than individual boards. We are spinning our wheels, which I have heard from some board members. Try it out for a few months.

Mayor Jacobs: Appreciate the idea of trying it out. But if you disband several boards into one, then several months later, it would be harder to put it back the way it was. Would be spinning our wheels if we were to change the construction. Could not support a trial run.

Commissioner Watts: How about choosing priorities and give that specific direction to the boards.

Commissioner Ross: Some of the shortcomings of the Board stem from the commission not giving them clear goals and objectives. Parks & Parkway Board is the most successful. Have helped with so many projects. Have provided recommendations. Able to help train and instruct staff on landscaping. The Ecology Board not as active, but have had events. They each serve a separate function. Incumbent upon this commission to communicate with our appointee. Part of having Boards is a proving ground to run for office. Would not like to see the Boards diminish.

Vice Mayor Anderson: Agrees with Commissioner Ross. Parks & Parkway has been giving recommendations. It is not fault of the Board that few actions have been taken by the commission. If you combine and have more people, the quorum is greater. Each Commissioner needs to pay attention to the Boards and drop in from time to time. Give them support. El Portal has a Commissioner that oversees a Board. We don't have that type of set up. Would like to keep the boards as is.

Commissioner Cooper: Keeping as is keeps a broken system. If we don't make significant reforms, nothing will change. Will support Commissioner Watts' suggestion.

Mayor Jacobs: Supports combining them, but not as a temporary solution.

Commissioner Cooper: Encourages Commissioner Watts to move forward with this great idea.

**11 Final Public Comment**

< None >

**12 Announcements**

All public meetings are held at the Ed Burke Recreation Center,  
11400 NE 9th Court, Biscayne Park.

Friday, September 20th - Food & Tunes at 7:00pm

Saturday, September 21st - Annexation Workshop at 10:00am

Tuesday, September 24th - 2nd Budget Hearing FY 2013-14 at 6:30pm

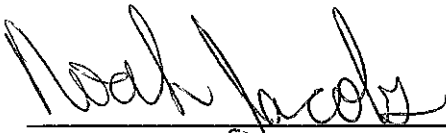
Saturday, September 28th - Village Fun Run / Health & Fitness Expo starting at  
8:00am

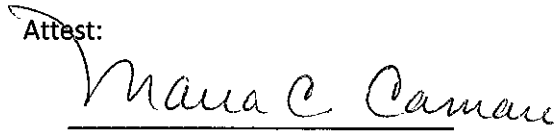
Our next regular Commission meeting is Tuesday, October 1, 2013 at 7:00pm.

**13 Adjournment**

The meeting was adjourned at 9:03pm.

Commission approved on November 6, 2013.

  
\_\_\_\_\_  
Noah Jacobs, Mayor

Attest:   
\_\_\_\_\_  
Maria Camara, Village Clerk